

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Robert O. Braun, Jr.	Group No. Not Yet Assigned
Serial No.: Not Yet Assigned	Examiner: Not Yet Assigned
Filed: Herewith	Conf. No. Not Yet Assigned
For: Rolling Square	

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form 1449. In sections I-IV, below, the paragraph(s) marked with an "x" in the requisite space are applicable to this Information Disclosure Statement.

**I. REQUEST FOR CONSIDERATION**

**[ X ] (a) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage of**

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**CERTIFICATE OF MAILING**

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Non-Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**MAILING**

- ☐ 37 C.F.R. §1.8  
as first class mail.

- ☒ 37 C.F.R. §1.10  
as "Express Mail Post Office to Addressee"  
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**FACSIMILE TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Cheryl R. Couzens  
Name of Depositor

  
Signature

November 25, 2003  
Date

**the above-identified application. Accordingly, applicant(s) believe(s) that no fee or certification is required.**

☐ (b) Applicant(s) believe(s) the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97 (b) (3) as it is being filed before the mailing of the first Office Action on the merits. Accordingly, applicant(s) believe(s) that no fee or certification is required.

☐ (c) Applicant(s) believe(s) the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97 (b) (4) as it is being submitted before the mailing of an Office Action after the filing of a request for continued examination under 37 CFR §1.114. Accordingly, applicant(s) believe(s) that no fee for certification is required.

☐ (d) Pursuant to 37 CFR §1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

☐ a certification under 37 CFR §1.97(e); or

☐ the fee set forth in 37 CFR §1.17 (p);

☐ a check for this fee is enclosed herewith; or

☐ please charge this fee to Deposit Account No. 50-1662.

## **II. PETITION UNDER 37 CFR 1.97 (d)**

☐ a) Pursuant to 37 CFR §1.97 (d), applicant(s) hereby petition(s) the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state(s) that the issue fee has not been paid and that a certification under 37 CFR §1.97 (e) is provided herein, along with the petition fee of \$130.00 required under 37 CFR §1.17 (i) (1);

- ☐ a check for this petition fee is enclosed herewith;
- ☐ please charge this petition fee to Deposit Account No. 50-1662;

and

b) The information disclosure fee of \$200.00 required by 37 CFR §1.17 (p) is believed to be due, and

- ☐ a check for this fee is enclosed herewith; or
- ☐ please charge this fee to Deposit Account No. 50-1662.

**III. CERTIFICATION UNDER 37 CFR §1.97 (e) (1)**

☐ The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement. Art was cited in an International search Report mailed \_\_\_\_\_ in the PCT Application No. \_\_\_\_\_ corresponding to the above listed patent application.

☐ A copy of the \_\_\_\_\_ by the International Preliminary Examining Authority is enclosed herewith.

**IV. CERTIFICATION UNDER 37 CFR §1.97 (e) (2)**

☐ The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a duty of disclosure as set forth in 37 CFR §1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a governmental or international or regional bureau searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 CFR §1.98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, applicant does not necessarily adopt the position reflected by that report.

The information herein cited is only in fulfillment of Applicant's(s') duty of candor in disclosing all information brought to Applicant's(s') attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve(s) the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

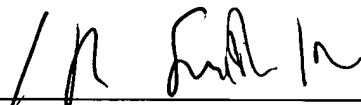
Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge payment of any additional fees  
associated with this communication or credit any overpayment to Deposit Account No. 50-1662.

Respectfully submitted,

POLSINELLI SHALTON & WELTE, P.C.

Date: 11/25/2003

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Robert O. Braun, Jr.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	61938

**U.S. PATENT DOCUMENTS**

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

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Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Robert O. Braun, Jr.
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	61938

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Helpful Reviews, information on Johnson RTS24 Johnson RockRipper Drywall Scoring Square, 1 page	
		JLT-New Products, RockRipper Ad, 1 page	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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